

10/26/2004



# **Texas Department of Transportation**

1421 WELLS BRANCH PARKWAY, BLDG. 1, SUITE 107 PFLUGERVILLE, TX 78660 (512) 225-1300

October 6, 2004

Account No. 8014-1-73  
CSH 0151-09-039  
Travis County  
US 183: From East of US 290  
To SH 71

Parcel No. 97A – City of Austin

Mr. Stuart Strong, Division Manager – Planning, Design and Construction  
Parks and Recreation Department  
City of Austin  
200 S. Lamar  
Austin, Texas 78704

Dear Mr. Strong:

We have been engaged in discussions with you regarding the ultimate acquisition of the captioned property that abuts the City of Austin parkland, which you acquired from Solo Star Realty, Inc. at Little Walnut Creek and US 183. Mr. Sam Nassour, our negotiator, has provided you with a right of entry so that utility installations necessary for the proposed US 183 construction will not be unnecessarily delayed. A copy of our parcel sketch is attached for reference. By this letter, we wish to set out our plans for construction on proposed right of way abutting the parklands so that we may proceed with the acquisition.

As shown on the attached map, the proposed acquisition consists of a triangle with a border 228.67 feet in length abutting the park land. However, the park land borders Texas Department of Transportation for approximately 576 feet southward from Little Walnut Creek. Since the entire length of wall impacts the park, we are considering screening the whole wall bordering the park property, instead of only the triangle. The wall will be constructed of concrete panels, topped with a concrete coping and concrete barrier rail. The height of the wall will gradually extend to approximately 12 feet high as it approaches the bridge over Little Walnut Creek.

We propose to incorporate a variety of native trees and understory plant material to create a natural and loose vegetation screen to subdue the visual impact of the wall, and would include species such as Live Oak, Red Oak, Cedar Elm,

Mr. Stuart Strong  
October 6, 2004  
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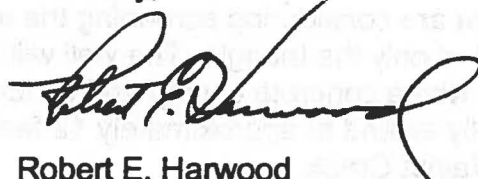
Texas Ash, Evergreen and Flame Leaf Sumac, Mountain Laurel, Yaupon Holly, Wax Myrtle, and other native material. The vegetation would be planted within a mulched bed area that would undulate along the wall. The bed would be sized to allow vehicle access within the ROW. The trees would be spaced in a slightly staggered alignment approximately 8 feet apart. Trees would be specified in 10 gallon size, which would range from approximately 4 feet in height up to 9 feet in height, depending on species. Smaller understory material would be specified in a 5 gallon size. An automatic drip irrigation system would be installed to water the plants through a five year period of establishment and development.

A preliminary estimate uses approximately 80 small and large native trees (10 gallon), 100 native understory shrubs (5 gallon), mulch and bed preparation, and an automatic drip irrigation system (tap, meter, backflow preventer, valves, piping, and drip tubing). Total cost for this vegetation screen proposal is approximately \$20,000. Cost of watering for five years has not been projected at this time. Plans for the proposed landscape screening are not yet available, but will be provided when they are completed.

Additionally, we will enter into a joint use agreement with the City of Austin for a trail to be extended along Little Walnut Creek under the bridge abutments so that the City of Austin parkland is connected with proposed trails extending across US 183.

We respectfully request your assistance in obtaining execution of a right of entry so that utility relocations are not delayed. We understand that there is a specific procedure for the acquisition of the park land, and also request your cooperation and guidance in working with us through that procedure. Please continue to work with Mr. Nassour in working our acquisition through that process. Thank you for your cooperation in this matter. If you need further information, please contact me at 225-1430 or Mr. Nassour at 225-1312.

Sincerely,



Robert E. Harwood  
Asst. Right of Way Administrator

EXHIBIT A

County: Travis  
Parcel No.: 97A  
Highway: U.S. 183  
Limits: From: East of US 290  
To: SH 71  
CSJ: 0151-09-039

**PROPERTY DESCRIPTION FOR PARCEL 97A**

DESCRIPTION OF A 0.117 ACRE (5096 SQ. FT.) TRACT OF LAND LOCATED IN THE J. C. TANNEHILL LEAGUE NO. 22 IN TRAVIS COUNTY, TEXAS, AND BEING PART OF A 197.59 ACRE TRACT OF LAND AS DESCRIBED IN THE DEED TO THE CITY OF AUSTIN IN DOCUMENT NUMBER 2002178092 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.), SAID 0.117 ACRE (5096 SQ. FT.) TRACT, AS SHOWN ON A RIGHT-OF-WAY SKETCH PREPARED BY SAM, INC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a ½-inch iron rod with Texas Department of Transportation (TxDOT) aluminum cap set 193.95 feet right of Engineer's Centerline station 307+95.88, in the westerly proposed right-of-way line of U.S. Highway 183, in the common line of a called 4.598 acre tract being part of Tract VII, also known as Lot 1, Oriens Park Section Eight as recorded in Book 86, Pages 193A and 193B of the Plat Records of Travis County, Texas (P.R.T.C.TX.), and said 197.59 acre tract, marking the beginning of this Control of Access Line (Area of Denied Access to Highway Facility) and being the southwesterly corner of the tract described herein, from which a ½-inch iron rod found on said common line bears N62° 53' 12" W, a distance of 65.69 feet;

- 1) **THENCE**, N12° 33' 00"E, through the interior of said 197.59 acre tract with said proposed westerly right-of-way line, a distance of 228.67 feet to a TxDOT Type I concrete monument found 197.93 feet right of Engineer's Centerline station 305+67.24, at the intersection with said existing westerly right-of-way line of said U.S. Highway 183, being the most northerly corner of the tract described herein and marking the end of this Control of Access Line;
- 2) **THENCE**, S02° 04' 17"W, with the existing right-of-way line of said U.S. Highway 183, described in a deed to the State of Texas as recorded in Volume 2599, Page 286, Deed Records Travis County, Texas (D.R.T.C.TX.), a distance of 244.29 feet to ½-inch iron rod found for the common corner of said 4.598 acre tract and said 197.59 acre tract, and a called 0.0004 acre area included within said plat boundary of Oriens Park Section Eight, being the southeasterly corner of the tract described herein, from which a TxDOT Type I concrete monument found on said existing right-of-way line bears S02° 04' 17"W, a distance of 59.31 feet;

- 3.) **THENCE, N62°53'12"W**, with the common line of said 4.598 acre tract, said 197.59 acre tract, and a said 0.0004 acre area, passing at a distance of 9.59 feet to a ½-inch iron rod found, and continuing on said common line for a total distance of 45.90 feet to the **POINT OF BEGINNING**, and containing 0.117 acre (5096 sq. ft.) of land, more or less.

This property description is accompanied by a plat of even date.

All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD 83 (93).

Access is prohibited across the "The Control of Access Line" to the transportation facility from the adjacent property.

THE STATE OF TEXAS

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§  
§

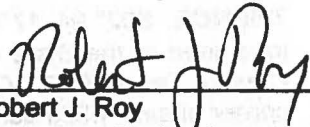
KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, Robert J. Roy, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

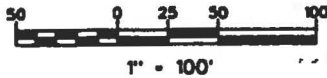
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 22<sup>nd</sup> day of June 2004 A.D.

SURVEYING AND MAPPING, Inc.  
5508 West Highway 290 Building B  
Austin, Texas 78735

  
Robert J. Roy  
Registered Professional Land Surveyor  
No. 5159 – State of Texas



GRAPHIC SCALE  
(IN FEET)



LINE NO.	BEARING	DISTANCE
L1	N82°53'12"W	43.80'
L2	N82°53'12"W	9.59'

J. C. TANNEHILL LEAGUE

CURVE DATA  
PI Sta 331+84.36  
X= 3139174.52  
Y= 10079921.78  
Δ= 1° 31' 17.64" (RT)  
D= 0° 04' 17.83"  
L= 2124.52'  
T= 1062.32'  
R= 80000.50'  
PC Sta 321+22.04  
PT Sta 342+46.56

PC Sta 309+80.75

S13°32'48"W 1963.89'

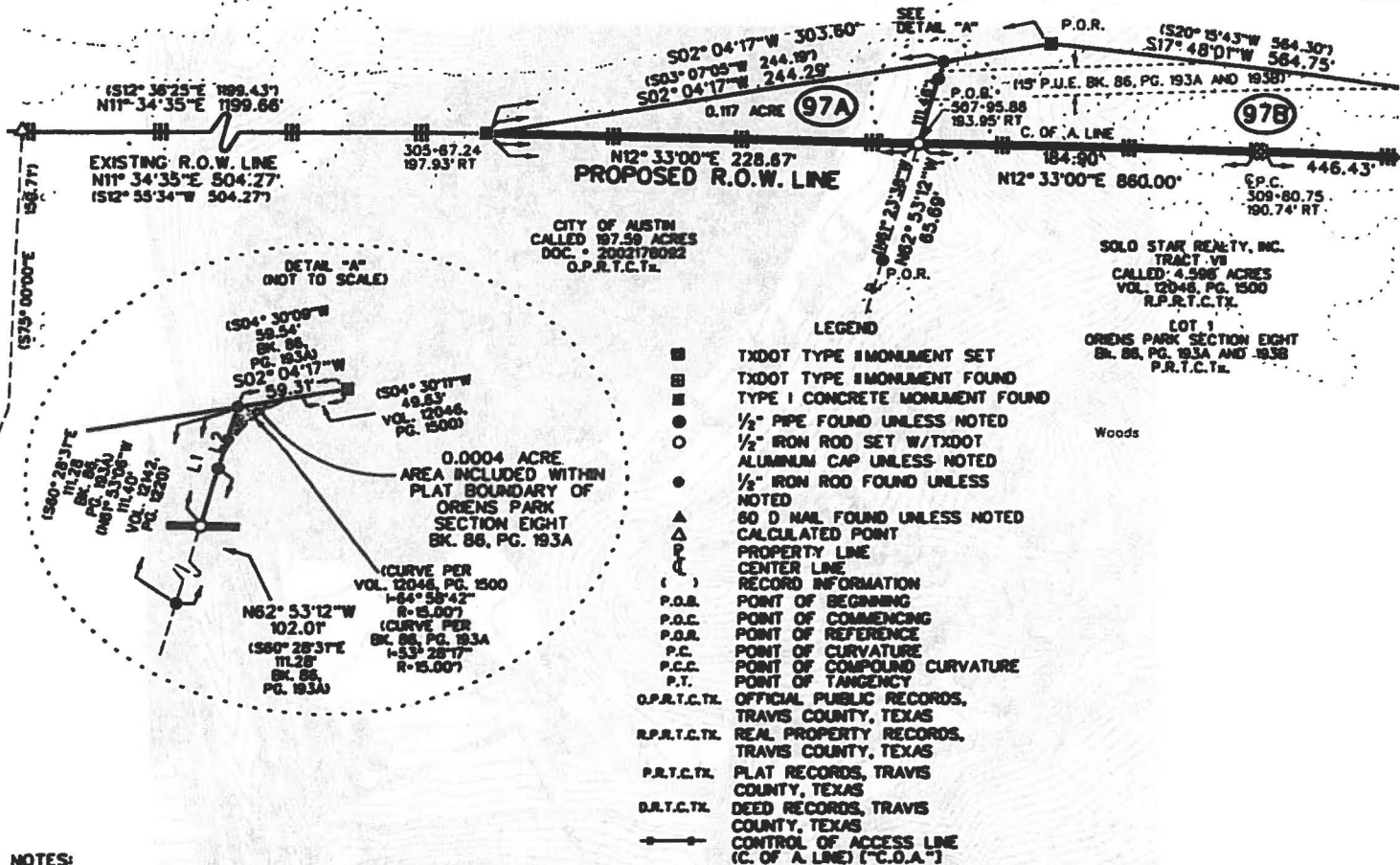
ENGINEER'S CENTERLINE

310+00

ED BLUESTEIN BLVD.  
U.S. HIGHWAY 183  
(VARIABLE WIDTH R.O.W.)

STATE OF TEXAS  
VOL. 2599, PG. 288  
O.P.R.T.C.T.X.

pg. 2-37



NOTES:

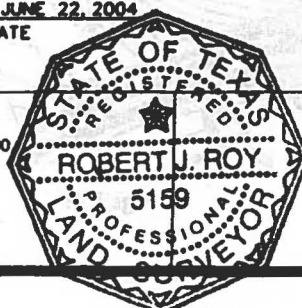
1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
2. ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93) HARN, ALL DISTANCES AND COORDINATES ARE ADJUSTED TO SURFACE USING THE PROJECT SURFACE ADJUSTMENT FACTOR OF 1.00011.
3. IMPROVEMENTS SHOWN HEREON ARE BASED UPON TXDOT AERIAL SURVEY DIGITAL FILES.
4. THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.
5. ACCESS IS PROHIBITED ACROSS THE CONTROL OF ACCESS LINE TO THE TRANSPORTATION FACILITY FROM THE ADJOINING PROPERTY.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ROBERT J. ROY  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 5159, STATE OF TEXAS

JUNE 22, 2004  
DATE

PAGE 3 OF 3  
REF. FIELD NOTE NO. 3165R



5506 West Highway 290  
Building 8  
Austin, Texas 78735  
(512) 447-0575  
Fax: (512) 328-3029

RIGHT-OF-WAY SKETCH  
SHOWING PROPERTY OF  
CITY OF AUSTIN  
CSJ NO. 0151-09-039



**CLOSE UP ELEVATION MAP TWO FOOT INTERVALS  
SUBJECT WHOLE PROPERTY 197.59 ACRES OUTLINED IN RED  
100 YEAR AND 500 YEAR FLOOD PLAIN IN BLUE AND BLUE  
0.117 ACRE PROPOSED ACQUISITION OUTLINED IN PURPLE**

